



REPRESENTATIVE FOR
CHILDREN AND YOUTH

2008 Progress Report on the Implementation of the Recommendations of the BC Children and Youth Review ("Hughes Review")

December 11, 2008





REPRESENTATIVE FOR
CHILDREN AND YOUTH

December 11, 2008

The Honourable Bill Barisoff
Speaker of the Legislative Assembly
Suite 207, Parliament Buildings
Victoria BC V8V 1X4

Dear Mr. Speaker,

I am pleased to submit the *2008 Progress Report on the Implementation of Recommendations of the BC Children and Youth Review* to the Legislative Assembly of British Columbia.

This report is prepared in accordance with section 20 (2)(b) of the *Representative for Children and Youth Act*, which allows the Representative to make special reports to the Legislative Assembly.

Sincerely,

Mary Ellen Turpel-Lafond
Representative for Children and Youth

pc:

Mr. Ron Cantelon, MLA
Chair, Select Standing Committee on Children and Youth

Mr. E. George MacMinn, QC
Clerk of the Legislative Assembly



Contents

PART ONE – Representative’s Overview	5
2008: The Good News	8
2008: The Challenges	10
Ministry Collaborations	10
Policy Shifts	11
Observations and Findings	12
Hughes Recommendations Planning	12
Ministry Decentralization	12
Quality Assurance, Accountability and Evaluation	15
Public Reporting	17
Evaluation	17
Complaints Resolution Process	18
 PART TWO – Analysis and Evaluation	19
Methodology	19
Assessment Overview	20
Ministry Decentralization	21
Recommendations 18-22	
Quality Assurance, Accountability, and Program Evaluation	26
Recommendations 23-28, 43, 44	
Complaints Resolution Processes	33
Recommendations 29, 30	
 APPENDICES	
Appendix A: Documents and Sources	37
Appendix B: Office of the Auditor General of B.C., Building Better Reports: Our Assessment of the 2004/05 Annual Service Plan Reports of Government, March 2006 (Abridged)	41



Part One – Representative's Overview

The Hughes Review, released in April 2006, contained 62 recommendations to improve the child-serving system. The Representative's 2007 Progress Report determined that as of last year, the Government had completed work on 15 of those recommendations.

From those assessed as "not complete" last year, 15 recommendations have been chosen for evaluation in this, the 2008 Progress Report. The remainder of the recommendations not yet completed will be evaluated in an upcoming Progress Report, expected to be released in 2009.

The present Progress Report examines progress on selected recommendations relating to decentralization of the Ministry of Children and Family Development (MCFD), quality assurance, and the handling and resolution of complaints. These 15 recommendations were specifically chosen for evaluation at this time because the Representative believes them to be at the very core of the essential work still required to improve and enhance the way the ministry functions, in serving B.C.'s vulnerable children and youth.

In the best interests of our province's most precious assets – children, youth and families – I call upon the Government to move towards substantial compliance with what is proposed in this document ... I believe that a blueprint will be found here to allow for full repair of a system that has in recent times been battered on stormy seas.

Hon. Ted Hughes,
Hughes Review

None of these 15 recommendations are assessed as complete or fully operational, although one is substantially completed. There is no real progress on two of the recommendations, while 13 others are in the planning or implementation stage.

Total	Complete or Fully Operational	Substantial Implementation	Implementation Underway	Planning Underway	Limited or No Progress	Insufficient Information Provided
15	0	1	5	7	2	0



Of this group of 15, the two recommendations that remain largely unaddressed are among the most important in the Hughes Review:

Hughes Recommendation 20

That responsibilities be transferred to regions and to Aboriginal authorities once they have demonstrated their ability to meet key performance targets.

Hughes Recommendation 43

That an external evaluation of all programs under the service transformation initiative, beginning with kith and kin agreements, be undertaken both during the implementation phase and then later, on an ongoing basis.

This report is being presented to the Legislative Assembly 32 months after the Honourable Ted Hughes released his review of B.C.'s child protection system, calling it a blueprint to allow for full repair of a system that had been battered on stormy seas. Mr. Hughes spoke to the urgency of the task, and provided sound recommendations for lasting improvements to the system, by staying focused on better outcomes for children and youth.

The Hughes Review also called for increased accountability and transparency in the operation of MCFD, and government generally. The Hughes Review recommendations were built upon the foundation of the thoughtful recommendations of the Gove Inquiry into Child Protection (1995), and the work done to improve the child-serving system in the intervening years.

It is encouraging that the Provincial Government continues to publicly commit to further implementation of the Hughes Review recommendations, as in the February 2008 Speech from the Throne:

More will be done, as your government implements the Hughes recommendations on child protection, improves programs to prevent violence against women, and increases support to people with developmental disabilities, children with special needs and their families.



This assurance is significant, because the Representative's 2007 Progress Report on the recommendations found "too little evidence within MCFD of a coordinated effort to implement numerous Hughes recommendations where its leadership has been required."

On November 28, 2007, MCFD's Minister said in the Legislature: "We are moving forward with each and every one of Mr. Hughes's recommendations. I certainly expect that over the course of the next year, the vast majority will be implemented or certainly very well underway." He added that "this is the government that retained Mr. Hughes, that provided him a mandate, that appreciated the work he did and that indicated, upon receiving his recommendations, that we were committed to implementing them. We are going to implement the recommendations."

On November 27, 2007, MCFD's Deputy Minister spoke to media of the intent to see most of the Hughes Recommendations completed within one year, saying "Some issues would have to be drawn probably out into the next year or two, but there are very few of those, and I would suggest that we could complete 90 per cent of the Hughes recommendations within another year."

One of the Representative's roles in evaluating the implementation of the 62 Hughes Review recommendations is to report on progress being made. The Hughes Review, in directing that the Representative must "report regularly to the public on the performance of the child welfare system," noted that this public reporting is an essential component of enhancing public confidence in the ministry. "The public needs to know that the child welfare system is accountable for what it does and how it does it."

The Representative also has a responsibility to support and encourage the very important work of Government in fully implementing the Hughes recommendations. Government is to be commended for its continued commitment to this, and is encouraged to renew its efforts and move with purpose toward finalizing implementation of all the Hughes Review recommendations.



2008: The Good News

It is important to highlight some of the significant work that has been done in the past year, which sets the background to the observations to follow.

No look at the positive aspects of a child-serving system is complete without a heartfelt acknowledgement of the work done by front-line social workers, foster parents, service providers and caregivers. These women and men have such a positive impact on young lives every day throughout our province, assisting children, youth and their families with a huge range of challenges. Too often these individuals are the unsung heroes in the background as they help British Columbians through extremely stressful situations. As well, they often provide invaluable assistance to the Representative's Office, especially in shared advocacy cases. A special 'thank you' to them all.

Four specific initiatives, although not directly related to Hughes Review recommendations examined in this Progress Report, warrant acknowledgement as helping to improve the child-serving system and thus may improve the lives of vulnerable children and youth, which was at the foundation of the Hughes Review.

"Jordan's Principle"

Jordan was a First Nations child born with complex medical needs. During his short life, federal and provincial governments argued over who would pay for his at-home care.

Sadly, because of the discord, Jordan passed away far from his family home.

In honour of Jordan, all provincial, territorial and federal governments are being called on by almost 1,900 leading organizations to adopt a child-first principle to resolving jurisdictional disputes over care of First Nations children.

Under "Jordan's Principle," when a dispute arises between two government parties regarding payment for services for a Status Indian child, the government of first contact must pay for the services without delay or disruption.

- 1) On January 25, 2008, in a presentation to First Nations and Métis leaders, B.C.'s Premier was the first provincial leader to announce full support for Jordan's Principle. This followed the May 2007 introduction of a motion in Canada's House of Commons, which was brought forward by a Member of Parliament from British Columbia, and unanimously adopted in December 2007. Jordan's Principle embraces a child-first approach to resolving jurisdictional disputes involving the care of First Nations children, and was identified in the Representative's 2007 Progress Report as the preferred approach to address the urgent need to resolve these gaps. The Province's recognition and commitment to embracing Jordan's Principle is a positive step for British Columbia. Much is required to fulfill this promise, including work with the federal government, but there is evidence of initial work to make this meaningful to children and youth. The Representative was further encouraged when this commitment was reiterated in the February 2008 Speech from the Throne.



- 2) On April 3, 2008, the Government awarded a contract after tender to begin the development of an integrated case management system, which will support better operations, accountability and information sharing regarding the interaction with vulnerable children and their families or caregivers. This is an important development and deserves acknowledgement as a positive indication of movement in the direction suggested by Mr. Hughes. To some, information systems may not seem important to children and youth. However, better accountability for what is done and more evaluation of the effectiveness, responsiveness and universality of programs and services is crucial to a strong, well-functioning child-serving system. Much work will be required to realize the goal of having this system fully operational as planned by 2010.
- 3) The passage of legislation to improve the working environment for social workers in B.C. offers the promise of better futures for B.C.'s children and youth. The *Social Workers Act* creates a College of Social Workers, and brings the profession in line with other self-regulating professions in B.C. The College will have far more power than the current regulatory body when dealing with allegations of misconduct, and can enhance professionalism and ensure that the qualifications, training and regulation of social workers meet the needs of the province well into the future. This recently proclaimed legislative improvement is a good step forward, and concentrated efforts to support registration of all social workers and implementation of a robust regulatory process are encouraged by the Representative (BC Reg 323/2008).
- 4) The Representative further acknowledges the real potential for positive development with the vision offered by Government in *Strong, Safe and Supported: A Commitment to B.C.'s Children and Youth*, which was released in April 2008. It articulates guiding principles and strategies which could help not only MCFD but also the Government of B.C. build upon the progress on the Hughes Review recommendations. Vision, guiding principles and better integration of programs and services are crucial to a strong child-serving system, and having a common reference point is supportive of the social consensus required to improve outcomes for B.C.'s children and youth.

While *Strong, Safe and Supported* draws support from the Representative, this support is qualified. At this stage it is an aspirational plan – budgeting, planning and implementation have not been completed. There is some confusion as to who will lead initiatives spanning numerous ministries. It is not clear what targets or performance measures will indicate realization of the plan, or what expectations will be placed on regions, child-serving agencies or other parts of the child-serving sector (such as the ministries of Health and Education).



For example, the plan makes a commitment to “closing the gap” between Aboriginal and non-Aboriginal children in terms of health, safety, education and well-being. No measures have been set to define what this means, no lead responsibility has been identified, and it is not clear what outcomes support progress, or are targeted year-to-year across government.

After the Hughes Review, it is particularly important that plans are accompanied by the structural, governance, policy and operational resources necessary to show progress year to year and from place to place. As the present report will illustrate, existing challenges in delivering programs and services might make it difficult to achieve new approaches, especially when we don't know the impact of current services on children and youth so that we can plan to improve those services in the future.

2008: The Challenges

Ministry Collaboration

Positive collaborative undertakings have occurred over the past year with the Ministry of Education, Ministry of Health Services, Ministry of Healthy Living and Sport, Ministry of Housing and Social Development, Ministry of the Attorney General, and Ministry of Public Safety and Solicitor General. Involvement with these ministries has greatly assisted the Representative's Office in terms of information sharing, collaboration and responsiveness.

Improvement has been seen in the past year in working with MCFD, with information sharing and disclosure as the main continuing concerns. Work is underway to address this, and recent debriefings on reports, and collaborative work on recommendations made, have improved this process.

The Representative acknowledges that oversight of MCFD increases the information demand on the ministry, particularly when her Office is reviewing the deaths and injuries of children.

The Representative is confident that – with the assistance of senior MCFD leadership – improvements can and will be made, especially in the areas of full and timely disclosure of information requested from the ministry. More collaborative, efficient information-sharing processes are required, rooted in our shared commitment to the best interests of children and youth and in respect for the independent Office's mandate to help improve the child-serving system.



Policy Shifts

The Representative has raised the concern that her Office is not consulted regularly when major shifts in policy or changes are contemplated or conducted, particularly when it affects children and youth receiving services or programs designated for review by the Representative. Shifts impact the child-serving system, and particularly the vulnerable children and youth for whom this Office conducts advocacy, monitoring or reviews of injuries and deaths, and our work would be assisted by consultation or briefings.

For example, *Strong, Safe and Supported* was prepared without collaboration or input from the Representative's Office. MCFD offered it as having subsumed the Hughes recommendations without a helpful and meaningful process of discussion with the Representative's Office as to how this was accomplished, with reference to specific recommendations and their implementation. Periodic reports on the Hughes Review have also been posted this year on MCFD's website as an appendix to updates on the Plan. Regrettably, these updates were not preceded or followed by discussion with the Representative of the ministry's assessment of its progress on the Hughes Review.

One purpose for creating the Representative's Office was to promote stability, transparency and accountability, to ensure better outcomes for children and youth.

Mr. Hughes was clear that while this Office must be independent and impartial, one of the Representative's roles may be to "advise government about the effectiveness, responsiveness and relevance of services." Mr. Hughes also envisioned that Government would request that "the Representative take part in the development of policies or practices that reflect a deeper understanding of the needs and interest of children, youth and their families."

The Representative wants to support the ministry to succeed in its mandate and views our role as primarily collaborative, particularly in supporting the ministry to implement the Hughes Review.

Other examples of major policy shifts include:

- the shift of the Children in the Home of the Relative (CIHR) program from one ministry to another
- the discontinuance of mom-and-baby placements at the Alouette Correctional Centre for Women
- the withdrawal of support for Aboriginal child service authorities (the second time in a decade such a process has been launched, funded and halted)
- the co-location of the Adult Mental Health and Addictions Centre with the Maples Adolescent Psychiatric Treatment Centre in Burnaby.



Observations and Findings

Hughes Recommendations Planning

A year since the release of the last Representative's Progress Report on Hughes recommendations, no coordinated effort or plan is evident or articulated for MCFD to implement the remaining Hughes recommendations that require its leadership. Consequently, the Representative's Office has been obliged to review a number of sources to ascertain whether, and to what extent, progress has been made in the last year. Key documents which were reviewed include:

- MCFD Good Practice Action Plan (2007)
- MCFD Annual Service Plan for 2008/9–2010/2011 (and earlier)
- MCFD Annual Service Plan Report for 2007/08 (and earlier)
- *Strong, Safe and Supported: A Commitment to B.C.'s Children and Youth* (2008)
- MCFD Operational Plan 2007–2012 (as updated)
- *What's Working for Children, Youth and Families in B.C.* (2008)
- Budget Letters for MCFD's Regional Executive Directors (2008)

In these documents, reference is frequently made to other plans, strategies, frameworks and projects, resulting in a need for the Representative's Office to request additional information where it may bear on the possible implementation of a Hughes recommendation. The Representative's Office had the benefit of many interviews with MCFD personnel who are in the best position to know the current disposition of the Hughes recommendations awaiting full implementation. The Representative's Office cannot accept verbal assurances alone, and sought confirmatory evidence of practical and actual progress.

Ministry Decentralization

In recent weeks, the momentum and progress previously reported by MCFD and the Regional Aboriginal Planning Committees toward the establishment of additional interim or permanent Aboriginal Authorities has come to a halt. The Representative will discuss this important subject in greater detail in an upcoming report on Aboriginal peoples and service delivery.

Turning to the decentralization of programs and services for non-Aboriginal children, youth and families, the Representative finds that the process of regionalization begun in 2001 is continuing, although not necessarily along the lines recommended by Mr. Hughes.



MCFD reports that it has continued to sponsor extensive community-level consultation in every part of the province. A good part of these consultations appear to have been based on individual program areas, such as children and youth with special needs, mental health, and adoption. More wide-ranging frameworks and assessment tools are said to be in development.

The MCFD Operational Plan 2007–2012 “Assessment of Implementation of Hughes Review Recommendations,” states:

As part of this work on decentralization, MCFD, in consultation with community representatives and Aboriginal leaders, has articulated goals, principles and expected outcomes. This occurs both regionally and provincially.

MCFD is committed to designing and implementing an integrated service delivery system in which decision-making, resources and services are decentralized to regions and community.

Regional Executive Directors, with support from the provincial office, are also developing processes with community representatives for continued decentralization.

The Representative has asked for additional information to understand how these will be achieved.

In MCFD documents provided to the Representative, the ministry states: “Regional budgets have increased each year for the past three years to support increased regional autonomy.” Regions have been given greater autonomy to allocate based on regional priorities.

While the regions no doubt welcomed increases and autonomy, these transfers are not fully responsive to the issue Mr. Hughes described. It was not a matter of fostering increased regional autonomy. Rather, Mr. Hughes recommended that the transfer of responsibilities should be contingent on the *demonstrated ability* of regions to achieve important program goals and objectives:

Responsibilities for governance should be transferred to the regions only when they have demonstrated the ability to carry them out. In perhaps two years time, it should be possible to establish baselines and measure a region’s performance against those. When the region’s performance reaches an acceptable level, a Management Charter could define the new authority’s area of responsibility and set performance targets.

Before 2007, it was MCFD practice to issue directions and performance targets to the regions through Budget Letters to the Regional Executive Directors and by other means. Resources



were transferred in the expectation that regional performance would meet these targets. Some effort was made to establish whether regions were measuring up. It is not clear what consequences flowed from sub-standard performance.

MCFD Budget Letters for the current year contain no such performance targets for regional achievement. Nor have we found any transmission to the regions of performance expectations – direct links to the performance measures highlighted in the Service Plan, for example – by any other means. No regional plans were made available for review and it is unknown if they exist or are current. No management charter or explicit governance authority structure has accompanied the downloading of budget to regions.

The critical element of Mr. Hughes' recommendation is the demonstrated ability of regions to achieve goals and objectives. These goals and objectives must be grounded in best management and practice approaches and should not be a point of contention for regions. They need to be accompanied by a core set of indicators against which all regions can be measured. The measures must be clear, logical and understandable. They must properly measure the goal they purport to represent. Some indicators, like the number of community consultations, are not adequate as they do not help us understand how the region is ensuring the safety and protection of children, or how mental health or other program services reach and support children and youth. The performance expectations must be supported by central monitoring of performance for the regions. MCFD must account for the inconsistency, when and if it arises, in universal program delivery, case planning, budget or especially divergent outcomes for children.

The absence of a clear connection between what MCFD learns and what the ministry does is most concerning. Mr. Hughes made a similar observation:

The Ministry has made strong progress over the past several years measuring its activities and in improving its data collection and reporting. However, there is a gap at the provincial level, in the meaningful reporting of results; and at the regional level, in using the available data effectively to inform management decisions.

The evidence suggests that the second of these gaps may be growing wider.

In order to assess current MCFD decentralization activities as responding fully to the Hughes recommendations in this area, the following would be required:

- clearer goals and objectives to guide the process;
- a set of performance measures that tracks performance toward these goals and objectives, and outcomes for children and youth; and
- objective evidence that all regions can carry out the mission whose accomplishment is being entrusted to them and no transfer where that evidence is lacking.



REPRESENTATIVE FOR CHILDREN AND YOUTH

This Office would prefer performance expectations, regional plans and meaningful consequences for failing to meet expectations. The community consultation process varies widely and there is no policy to guide this, such as a requirement to consult with local authorities, or children and youth, and report on these consultations.

The decision to focus on "service transformation" rather than creating regional authorities with clearer accountabilities or performance expectations was justified as necessary to keep focus on establishing Aboriginal authorities. That has been shelved, and it is now apparent that the financial and human resources to support regional authorities or entities with stronger performance expectations have not been established. The concerns initially expressed about this in the Hughes Review are more acute today as the transfer to regions has progressed without pre-conditions for performance, and the Aboriginal Authority process has been halted.

Another exercise in service transformation, the creation of Community Living BC, with responsibilities for services for children and youth, was altered this year by the proposed return of services to the ministry by October 2009, due to concerns regarding service delivery and confusion regarding roles and standards. These services will now be sent to regions. Unless the performance expectations, budget accountabilities and outcomes sought are practical and clear, it will still not be evident if children and youth with developmental disabilities are more effectively served, for the reasons described above, or if all regions are capable of assuming this program area and meeting performance expectations.

The practice of moving responsibility and budget out to regions without systems to monitor performance, expectations, readiness or accountabilities may fundamentally jeopardize Government's capacity to achieve better results for vulnerable children and youth.

Quality Assurance, Accountability and Evaluation

MCFD is making progress in strengthening its capacity to conduct a quality assurance program. A senior appointment was made to give leadership to this area, and a Provincial Office team has been established. MCFD has also indicated a desire to take a fresh look at its audit program and has improved its capacity to conduct aggregate analysis of case reviews.

The Hughes Review was conducted in the context of efforts across Government to improve accountability and performance. For example, B.C.'s Auditor General's "Enhancing Accountability for Performance in the British Columbia Public Sector (1995)" called on ministries to pay much greater attention to the results and outcomes of their programs and services relative to the inputs that they consume (mainly staff time and program funds). Stronger performance management would enable superior performance, improved internal accountability for results



REPRESENTATIVE FOR CHILDREN AND YOUTH

and better public reporting. A ministry whose clients are vulnerable children, youth and their families must be acutely tuned to good governance for supporting its employees and contractors to meet high standards of performance, accountability and transparency.

In particular, the Auditor General called for better performance measurement and clearer linkages between performance measures and the enduring goals and objectives of each ministry. Mr Hughes agreed, and recommended:

The Ministry should establish a comprehensive set of measures to determine the real and long-term impacts of its programs and services on children, youth and their families and then monitor, track and report on these measures for a period of time.

A promising beginning along these lines has been the attempt by a federal/provincial/territorial committee to create a list of National Outcome Measures (NOM) for child welfare. The NOM list has been in development since 1998, and B.C. has been an active participant. However, progress has been slow.

In its 2005/06 Service Plan Update, MCFD announced that "in the 2006/07–2008/09 Service Plan, the ministry will incorporate the federal/ provincial/territorial Child Welfare National Outcome measures." However, we have been unable to confirm that the 2005 commitment has been acted on, although the current Service Plan measures include several from the NOM.

The Representative notes that the Service Plans of all ministries now include fewer performance measures. This change, in the case of MCFD, has not supported improved performance or reporting. Nevertheless, the ministry's website contains a useful list of performance measures with historical data, and the latest Service Plan Report adds a few others.

The ministry still has not adopted some of those performance measures proposed by Mr. Hughes, including satisfaction with its own services on the part of children, youth and caregivers, and a measure on the health status of children in the ministry's care.

A stronger commitment to the measures already on hand – relating to child safety, well-being, adoption and permanence, and family and community support – would go some way to satisfying the Hughes Review recommendations in this area.

Especially where ministry performance targets have not been achieved, as is frequently shown in successive Service Plan Reports, there is clearly a need to give a higher corporate priority to better performance and real consequences leading to demonstrated improvement for children and youth. The Integrated Quality Assurance Program is still under development and at this point, the mechanism being developed to ensure compliance is not strong.



Public Reporting

B.C.'s Auditor General has for some years reviewed the Service Plans and Service Plan Reports that each ministry is required by law to prepare. The Auditor General has found a good deal of room for improvement in the public reporting of the ministries, and has issued the BC Reporting Principles to assist the process. He has also provided MCFD with clear guidance on the steps to be taken to improve its own public reporting. This guidance is included as Appendix A in this report.

MCFD has been active in issuing action plans, operational plans and policy statements in addition to the required Service Plan and Service Plan Reports. However, it has been much less active in making public follow-up reports showing whether the accountabilities, due dates and performance targets in these publications have actually been honoured or accomplished.

MCFD's posting on its website of individual audits, audit summaries, individual case reviews and summaries is noteworthy. The Representative applauds the initiative of the Directors forum, comprised of the Executive Directors of the First Nations Child and Family Service Agencies, to post audit material from the Delegated Agencies. The next step is to show that case review and audit findings and recommendations have been accepted and implemented, and the performance has improved as a result.

Evaluation

Mr. Hughes wrote:

I do believe that all the programs within the service transformation initiative, beginning with kith and kin agreements, should be carefully studied by external evaluators to determine whether they are meeting their objectives. An early evaluation can determine whether a program is being implemented in a way that is likely to realize its intended benefits. Then later evaluation can explore, in the light of the evidence, whether these benefits have actually been realized.

More generally, evaluations of new program initiatives should become a routine part of the Ministry's management, and should be undertaken in close consultation with the regions and with Aboriginal Authorities once they become operational.

In the past year, the ministry has, as noted previously, made a senior appointment to lead its quality assurance, research and evaluation activities at its Provincial Office. Staff have been appointed. In August 2008, MCFD advised the Auditor General that "a Comprehensive Evaluation Strategy for Child and Youth Outcomes would be implemented by Spring 2009."



These are all welcome developments. However, they do not constitute a sufficient response to the Hughes recommendations 32 months after they were made. Despite our requests, this Office has not yet received a single *completed* evaluation from within the service transformation initiative, and has received only one substantive evaluation on the Child Care Resource Referral Program (November 2008).

There remains no dedicated budget for program evaluation at MCFD Provincial Office in Victoria. The necessary funds are said to reside in the program fund allocations made to the regions, but the budget autonomy means program evaluation is not mandatory. This arrangement may not prove a workable one to underpin a corporate commitment of the magnitude required in the coming months and years.

MCFD should consider a 0.5 per cent additional set-aside on program expenditures – now over \$1 billion – to defray the costs of a rigorous evaluation process to assess the effectiveness of its programs and services. Further, the Representative notes that last year MCFD spent an estimated \$90 million in one-time-only early learning initiatives without meaningful details for evaluation. Accreditation of organizations receiving over \$500,000 assures operational standards but does not bring with it evaluation of the effectiveness of the programs and services for children and youth. Too little is known about the effectiveness of these programs and investments, and if they meet or respond to the needs of B.C.'s vulnerable children. Mr. Hughes recommended program evaluation should be the way MCFD routinely does business.

Complaints Resolution Process

This 2008 Progress Report finds some progress in MCFD's approach to bring increased coherence and responsiveness to the handling and resolution of the complaints that it receives. This year's assessments reflect this in services for Aboriginal and non-Aboriginal children, youth and families.

Following last year's Progress Report, B.C.'s Ombudsman and the Representative agreed to take a closer look at the adequacy of current arrangements, and the possible effect of planned changes. A joint report will be publicly released in 2009.



Part Two – Analysis and Evaluation

The current report focuses on 15 of the Hughes Review recommendations which were not evaluated as “completed” in the Representative’s 2007 Progress Report. Recommendations previously found to be “complete or fully operational” are not addressed.

This is the first of two Progress Reports focusing on the remaining Hughes Review recommendations. Each report will look at distinct clusters of Hughes Review recommendations. This report evaluates progress on:

- Ministry Decentralization
- Quality Assurance
- Accountability and Evaluation
- Complaints Resolution process.

The next Progress Report, to be released in 2009, will examine MCFD’s implementation of the remaining Hughes recommendations, including the review of deaths and critical injuries, information sharing, modern child protection approaches, and issues specific to Aboriginal children. Additionally, a major report focusing solely on the many issues related to serving and supporting Aboriginal children, youth and families will be issued in 2009.

Methodology

The methodology used in the current Progress Report is the same as that used in the 2007 Progress Report: a “follow-up” approach used widely by auditors, and developed after a review of several models in different jurisdictions including B.C., Ontario, Canada and the U.S.A. It is a high-level scan to assess how much activity has occurred to implement each recommendation.

The assessment of the current implementation status of each recommendation is based on primary sources of information, including public documents, MCFD documents and legislation, such as the *Representative for Children and Youth Act*, MCFD’s 2007/08 Annual Service Plan Report, 2008/09 Annual Service Plan Report, MCFD’s Action Plan and the ‘Strong, Safe and Supported Action Plan’.

Information was evaluated based on relevance, reliability, completeness and validity. As a general rule, verbal or written summary statements alone were not considered conclusive and needed to be supported with source evidence. At least two corroboratory sources of information were required to support an assessment. Each recommendation is assessed on a six-point scale.



Rating Scale for Assessing Progress

Rating	Definition
Insufficient Information Provided	Verbal or written summary statements alone.
Limited or No Progress	No documentation is available to indicate that work is being done towards implementing the recommendation. Generating informal or general draft plans is regarded as limited progress.
Planning Underway	Specific plans for implementing the recommendations are being developed, and appropriate resources and a reasonable timetable for implementing the plans have been addressed.
Implementation Underway	Activities beyond the planning underway process are occurring, such as hiring staff or putting in place the structures necessary to fully implement the recommendation.
Substantial Implementation	Significant results have been achieved in implementing the recommendation. Full implementation is imminent.
Complete or Fully Operational	All actions required to satisfactorily implement the letter, spirit or intent of the recommendation are completed. Structures and processes are operating as recommended and implemented fully in all intended areas of the organization.

Assessment Overview

Fifteen recommendations made in the Hughes Review and discussed in this Progress Report have been assessed to determine how much progress has been made since the Hughes Review was released in April 2006. Of these, one is substantially implemented, five are in the early stages of implementation, seven are in the planning stage, and two show limited or no progress. None of these 15 recommendations is assessed as complete or fully operational.

Total	Complete or Fully Operational	Substantial Implementation	Implementation Underway	Planning Underway	Limited or No Progress	Insufficient Information Provided
15	0	1	5	7	2	0



Ministry Decentralization

The Hughes Review supported the idea of community-level service delivery and increased regional room to manage. However, this support for decentralization was importantly qualified.

The Hughes Review states:

- The political leadership must demonstrate a clear and continuing commitment to decentralization. This may be easier said than done. System failures are bound to occur as decentralization progresses. Government needs to be prepared and be able to respond quickly. And it must continue to move decentralization forward.
- Decentralization cannot be done off the side of a desk. It requires a dedicated team and resources. It requires adequate time for consultation and input. It cannot be accomplished in an environment of instability and ever-changing priorities. Budget stability is essential.
- Decentralization must be undertaken as a partnership between MCFD and communities, with representation and participation by both in the development of the decentralization plan. This applies as well to the development of Aboriginal authorities.
- Responsibilities for governance should be transferred to the regions only when they have demonstrated the ability to carry them out. In perhaps two years time (from April 2006), it should be possible to establish baselines and measure a region's performance against those. When the region's performance reaches an acceptable level, a Management Charter could define the new authority's area of responsibility and set performance targets.

Recommendation 18	2007	2008
<i>That the Ministry and community representatives jointly develop a plan for decentralization, beginning with a set of principles that will guide the process, a clear statement of expected results, and a course of action to achieve those results.</i>	Limited or No Progress	Planning Underway

Recommendation 19	2007	2008
<i>That government commit itself to decentralization, which means supporting it with adequate resources, time, a dedicated team, and budget stability.</i>	Insufficient Information Provided	Implementation Underway



Recommendation 20

2007

2008

That responsibilities be transferred to regions and to Aboriginal authorities once they have demonstrated their ability to meet key performance targets.

Limited or
No Progress

Limited or
No Progress

While decentralization of the child welfare system is a complex, multi-year undertaking, the move toward regionalization has been underway since Government's Core Services Review in 2001. MCFD has often affirmed its strong commitment to a decentralized service delivery model that should be integrated and well coordinated. For example, the ministry's Service Plan for 2008–2011 states in its third objective:

Regionalized model of service delivery supported by integrated provincial and regional Ministry offices.

A regional model of service delivery will allow for increased regional planning and decision making, moving those decisions closer to the children and families most affected by them. At the same time, the Ministry will work to ensure policies and principles are applied consistently and fairly across the province.

Key strategies include "continue to empower the Ministry's regions with greater decision making and resources to meet diverse and unique community needs as well as continue support for regional service delivery by ensuring that local results inform effective policy and program development."

During this past year some progress has been made. A Regional Council, formed by the Regional Executive Directors, has been established to coordinate the interface between the regions and the Provincial Office. The council is supported by the Regional Council Support Team at Provincial Office and by ongoing budget support. All new major initiatives and new policies at MCFD are planned for and implemented through the council. The council is also part of the MCFD Leadership Team, which includes the Deputy Minister and the Assistant Deputy Ministers for the ministry's program areas.

Today, the vast majority of ministry staff (with the exception of those in services that remain centralized like Child Care and Youth Custody Centres) now report up to their respective Regional Executive Directors (REDs), who report directly to the Deputy Minister. In past years, the REDs reported to an Assistant Deputy Minister for Regional Operations. As well, there is no longer a Provincial Director of Child Welfare. Responsibilities of the Director set out in the *Child, Family and Community Service Act* are now completely designated to Regional Directors of Integrated Practice.



REPRESENTATIVE FOR CHILDREN AND YOUTH

Recommendation 18 contains three distinct and important aspects:

- A set of principles to guide the process
- A clear statement of expected results
- A course of action to achieve those results.

No single set of guiding principles for decentralization, no clear statement of expected results and no clear action plan to achieve these results were found in this review.

Last year Recommendation 18 was assessed as "Limited or No Progress," as insufficient information was provided to assess the status of this recommendation. This year the recommendation is assessed as "Planning Underway."

Recommendation 19 was assessed last year as "Insufficient Information Provided." Progress has since been found for this recommendation in the establishment of the Regional Council, MCFD's Service Plan commitment to regionalization, and the government's ongoing budget support for these activities. This year's assessment is "Implementation Underway."

It remains unclear as to whether accountabilities between the Provincial Office and the regions are to be managed in a manner consistent with Recommendations 18, 20 and 21. As the regions acquire more resources and decision-making authority, there appears to be no internal oversight role at Provincial Office to ensure improved performance management and basic accountability. For example, the performance measures set by the ministry do not appear to be connected to accountabilities of the Regional Executive Directors.

For these reasons, the assessment of Recommendation 20 remains "Limited or No Progress."

With respect to decentralization of Aboriginal services and development of Aboriginal authorities, the forward progress noted in the 2007 Progress Report appears to have ended. The Aboriginal Planning Committees and the two Interim Authorities have recently been notified by the Minister and Deputy Minister that planning and operational activities would no longer receive funding, and should cease operation effective November 30, 2008.

Legislation to create Aboriginal authorities was drafted but not put before the Legislature in the 2008 Spring Session. The hiring of an Aboriginal Director of Child Welfare is underway, and targeted for completion in December 2008. In correspondence with the Representative's Office, the ministry indicates that much of the activity in planning for Aboriginal governance has been referred to the Indigenous Child at the Centre process and First Nation Chiefs in each of the regions.

The Representative is concerned that resources may be redirected to new planning activities by a different entity.



REPRESENTATIVE FOR CHILDREN AND YOUTH

Recommendation 21

2007

2008

That the Ministry retain at its headquarters, the authority it needs to set and ensure compliance with provincial standards and to meet its responsibility for public accountability.

Limited or
No Progress

Planning
Underway

Last year Recommendation 21 was assessed as "Limited or No Progress." This year this recommendation is assessed as "Planning Underway."

MCFD affirms that its Provincial Office maintains the authority to monitor compliance with provincial practice standards and policy. Standards and policy are set through the Integrated Legislation and Policy Team. A new Integrated Quality Assurance Team has developed a quality assurance framework which describes a continuous cycle of quality improvement across the ministry. However, this new framework is not yet fully operational.

The integrated quality assurance framework does not specify the key roles and responsibilities between the regions and Provincial Office, and how accountabilities at each level will actually work. Another significant factor is the elimination of the position of Provincial Director of Child Welfare, as noted previously. This change may diminish active oversight at the provincial level for child protection and children in care in British Columbia.

Provincial practice standards have long been developed centrally for all program areas. Before April 2003, responsibility for monitoring compliance with these standards was managed centrally through a provincial audit program for child welfare (child protection and guardianship). In 2003, responsibility for quality assurance was transferred to the regions. Consequently, since 2003 the conduct of audits for child welfare has been managed by the Regional Directors of Integrated Practice. However, practice standards are still developed and monitored provincially for the Aboriginal delegated agencies.

There appears to be no audit program for Child and Youth Mental Health and Youth Justice. However, Youth Custody Centres have been accredited and ongoing monitoring of the centres is carried out through a regular accrediting cycle.

The regions also have the responsibility to address poor practice when revealed by audits through a formal recommendation process which they monitor. Until June 30, 2008, the Provincial Director could add recommendations. On July 1, 2008 the Provincial Director role was eliminated. The ADM for Integrated Quality Assurance has yet to determine whether the Provincial Office will continue to perform a role of adding recommendations, but will retain this for the time being.



REPRESENTATIVE FOR CHILDREN AND YOUTH

Audit results are rolled up provincially and posted on the ministry's website. A request for proposals to evaluate the current audit program went out in August 2008. The evaluation report is anticipated in April 2009.

Given the importance Mr. Hughes attached to a strong role at the centre in overseeing regional performance in a decentralized system, the Representative will continue to monitor whether MCFD is creating the robust quality assurance capacity that is required at Provincial Office and in the regions. The Representative recognizes that some positive steps have been taken in the last year, but it is not clear, as is discussed below, that Provincial Office retains its authority "to ensure compliance" where that is needed. In view of its importance, this area will continue to be monitored closely.

Recommendation 22	2007	2008
<i>The Ministry should examine its management structure to find ways to realign roles and responsibilities in ways that will clarify lines of authority and facilitate collaboration across program areas and between regions and the central office.</i>	Limited or No Progress	Substantial Implementation

Recommendation 22 was assessed last year as "Limited or No Progress." MCFD stated its intention to review and realign roles of provincial and regional directors of child welfare, the delegation policy, and the relationship between the Provincial Office, Regional Directors and Regional Executive Directors, as well as Aboriginal Services and the Delegated Agencies by December 2008. This year, due to significant progress, this recommendation has been assessed as "Substantial Implementation."

Provincial Office has been restructured to facilitate collaboration across program areas, and roles have been realigned to support integrated policy development, regionalization and quality assurance. The Regional Council now forms part of the Leadership Team. This team holds a key role in decision-making and the regions report to this council, not to an Assistant Deputy Minister. An Integrated Policy and Legislation Team has been established to support service standard and policy development across all program areas, an Integrated Quality Assurance Assistant Deputy Minister has been appointed, and a new Integrated Quality Assurance Team is being established to manage and coordinate quality assurance activities throughout the ministry.

There are some services that continue to be managed provincially, such as Youth Custody Centres, the Maples Treatment Centre, Medical Benefits and Child Care. Discussions are underway as to whether or not these responsibilities will be regionalized in the future.



Quality Assurance, Accountability and Program Evaluation

The Hughes Review stated:

The Ministry needs a strong quality assurance function to ensure compliance with its standards and practices, to evaluate internal performance against those standards, and to continuously improve systems and individual case practice, so that it can achieve better results for children, youth and their families.

A commitment to quality assurance based on regular measurements and audits, standards, and training, will be particularly critical as the Ministry continues to move toward greater decentralization. A strong commitment to quality assurance, coupled with sufficient resources, will promote consistency and standardization across the system and will allow us to understand how well each region is performing individually, and as part of the child welfare and child protection system in the province.

Mr. Hughes assigned great importance to the continuing role of MCFD Provincial Office in fostering quality assurance and accountability for results in a decentralized system. The recommendations spoke to MCFD's need to develop a stronger understanding of outcomes for vulnerable children and youth – whether positive or negative – to evaluate how government programs and services contribute to these outcomes, and to report more completely on the results of its efforts to improve them.

Last year the lack of progress on these recommendations was of particular concern given their clear links to promoting better outcomes for children and to more transparent public accountability.

Recommendation 23

2007

2008

The Ministry should establish a comprehensive set of measures to determine the real and long-term impacts of its programs and services on children, youth and their families and then monitor, track and report on these measures for a period of time.

Limited or
No Progress

Planning
Underway



Recommendation 24	2007	2008
<i>The Ministry should continue its work with other B.C. ministries to establish common measures and linked data sets.</i>	Implementation Underway	Implementation Underway

Recommendation 25	2007	2008
<i>Once collected and analyzed, data must be used as a tool to support operation and management decision making, and program evaluation and policy development.</i>	Limited or No Progress	Planning Underway

The performance measurement framework proposed in these three recommendations comprises a critical part of the effective and publicly accountable child welfare system envisioned by Mr. Hughes. Recommendation 23 asks the ministry to establish, monitor, and report on a comprehensive set of measures to determine the lasting impact of its programs and services on vulnerable children, youth and their families. Last year it was rated as "Limited or No Progress."

MCFD continues to participate on the federal/provincial/territorial National Outcomes Measures committee which has worked for over 10 years to develop a set of child welfare outcome indicators that would apply across Canada.

MCFD has also put together a sizable list of its own performance measures, including some from the national list.

These measures are presented in MCFD's 2008/09–2010/11 Service Plan:

- Total number of ministry funded licensed child care spaces;
- Per cent of children in care under continuing custody orders whose grade level is as prescribed for their age;
- Rate of recurrence of child neglect and/or abuse by family;
- Number of children who are identified as having to leave their parental home due to risks to the child's safety and well-being, that are able to remain with extended family or community;
- Per cent of children with adoption plans who have been placed; and
- Per cent of Aboriginal children in care who are served by delegated Aboriginal agencies.



The 2007/08 Annual Service Plan Report contains these measures:

- Per cent of (all) children who enter Kindergarten "ready to learn;"
- Number of children whose families receive a child care subsidy;
- Per cent of socio-economically disadvantaged children whose grade level is as prescribed for their age;
- Rate of recurrence of child neglect and/or abuse by family;
- Per cent of children with adoption plans who have been placed;
- Rate of youth in custody based on a proportion of all 12-17 year olds (per 10,000);
- Number of children safely placed with extended family or in community as an alternative to coming into care;
- Per cent of Aboriginal children in care who are served by Delegated Aboriginal Agencies; and
- Per cent of agencies required to be accredited, that achieve accreditation.

MCFD's website adds several performance measures, along with historical information about results achieved over the years:

- Per cent of children in permanent care with long-term plan to remain in foster care to age 19;
- Per cent of children in care who age out and immediately apply for income assistance;
- Rate of recidivism among (all) families in the child welfare system; and
- Rate of recidivism among Aboriginal families in the child welfare system.

The above examples show that MCFD's performance measures change regularly, and vary from document to document. As well, only a few of these current measures address the "real and long-term impacts of its programs and services on children, youth and their families," which the Hughes Review encourages in performance measures.

Only one (grade level at school) is set out in the Service Plan for focused attention this year. In view of the current or expected availability of such important indicators of child and youth well-being as rates of high school graduation, income assistance dependency, and youth in custody for children in care (and for others), it is unclear why MCFD does not give greater prominence to these important matters in its performance planning.

Recommendation 23 is assessed as "Planning Underway."

Recommendation 24 is assessed as "Implementation Underway." MCFD is continuing to work with the Ministries of Education, Health Services, and Housing and Social Development and other agencies to establish common measures and data sets. Working documents



REPRESENTATIVE FOR CHILDREN AND YOUTH

that indicate inter-ministry efforts are underway, e.g. to report publicly on the educational outcomes of children in care, have been provided for review.

With respect to Recommendation 25, the limited progress within MCFD in firmly linking audit, case review, and performance measurement findings to everyday management activities – and thereby to on-the-ground improvement – is a serious concern. Successive Service Plan Reports have shown that MCFD's goals and targets are often unachieved, and that "real consequences" are not apparent. The implementation of this recommendation is assessed this year as "Planning Underway."

Recommendation 26	2007	2008
<i>The Ministry must devote sufficient resources to develop and maintain a strong central quality assurance function at headquarters, in the regions, and in Aboriginal agencies. In consultation with the regions and Aboriginal agencies, headquarters must set provincial standards; provide training, support and expertise; and monitor results.</i>	Limited or No Progress	Implementation Underway

Recommendation 27	2007	2008
<i>The Ministry needs to develop its capacity to do aggregate analysis of recommendations from case reviews and regional practice audits.</i>	Implementation Underway	Implementation Underway

Last year's assessment of Recommendation 26 was "Limited or No Progress." This year's assessment has changed to "Implementation Underway."

As noted earlier, MCFD has recently appointed an Assistant Deputy Minister for Integrated Quality Assurance and established an Integrated Quality Assurance Team to coordinate quality assurance activities across the ministry. The Quality Assurance Team consists of staff responsible for monitoring critical injuries, serious incidents and fatalities, the provincial case practice audit program, and practice support. A second branch, Decision Support, is responsible for performance management, research, program evaluation, and analysis.

All of the regions have appointed quality assurance managers who support regional quality assurance activities and correspond to the provincial quality assurance team. As well, the Aboriginal Services Team has quality assurance managers who support quality assurance activities with the Aboriginal Delegated Agencies.



Provincial training for quality assurance staff is provided three times a year. Provincial quality assurance staff manage ongoing bi-weekly practice support sessions and provide expertise as needed. All of the recommendations from case reviews and audits in the child welfare area are reported to be tracked and monitored provincially.

At Provincial Office, an Integrated Quality Assurance Framework has been developed. MCFD is also in the process of developing research and program evaluation frameworks. These are in the drafting and discussion phase.

An Integrated Case Management System is in development and may provide better technical support for integration of case and service activities across MCFD, Aboriginal Delegated Agencies and community partners. This new system may also promote greater access to information across programs and improve data collection ministry-wide. This system is expected to be ready in Spring 2010.

Last year, it was noted that an Integrated Practice Analysis Tracking system had been launched in June 2006, with the capacity to do statistical aggregate analysis of both case reviews and practice audits. It is now fully operational. An aggregate review report of all recommendations from case reviews is in progress and a report was expected at the end of November 2008.

Last year Recommendation 27 was assessed as "Implementation Underway," in recognition that MCFD had begun conducting aggregate analysis and is publicly reporting annual child fatality case review summary reports. This year, individual anonymous case reviews have been posted. This is welcome progress, although the rating remains the same, as more is required to indicate strong, functioning quality assurance.

Recommendation 28	2007	2008
<i>The Ministry needs a regular, coordinated program of reporting on its activities and results achieved for children in care and children at risk.</i>	Limited or No Progress	Planning Underway

Last year Recommendation 28 was assessed as "Limited or No Progress."

MCFD's internal use of performance-related data to guide and improve its operations is not developed. The other facet of this recommendation is the quality of MCFD's reporting to the public on "its activities and results achieved."



As the Office of the Auditor General recently commented:

Effective implementation of results-focused public performance reporting, as now required under the Budget Transparency and Accountability Act, assumes that an organization will do its business differently, not only externally but also internally. Management's shift towards an emphasis on the results of government policies and programs lays the groundwork for subsequent accountability reporting. It is challenging to produce meaningful accountability information for an external audience if management does not already produce and use performance data to gauge internally the success of its operations on an ongoing basis.

*Strengthening Accountability in British Columbia
Trends and Opportunities in Performance Reporting
April, 2008 [Page 17]*

Each year MCFD prepares a Service Plan and a Service Plan Report. The Auditor General has for some years reviewed the Service Plans and Service Plan Reports of individual ministries against its list of BC Reporting Principles. MCFD has never received very good marks from the Auditor General for its public reporting, although it is not alone in this. The most recent assessment made by the Auditor General of MCFD's Service Plan Report appeared in March 2006. Appendix A contains a summary of the findings and recommendations to improve the ministry's public reporting.

There has been some progress in the last year. In recognition of the recent record of MCFD and the First Nations Directors Forum in posting audit results, including synopses, and individual case reviews and summaries, this year's assessment is "Planning Underway."

There appears a need to ensure that the recommendations made are fully responsive to the findings reported in each review, and that they prove effective in addressing identified shortcomings in practice. With respect to audit results, there remains no clear evidence that the process followed leads to on-the-ground improvements in compliance with MCFD's standards and policies where that has been shown to be needed.

The ministry has quite often issued detailed action plans, lists of future goals and objectives, and statements of new directions for the general public. However, it has much less regularly reported out later if the targets, accountabilities and due dates established in these publications were achieved.



Recommendation 43	2007	2008
<i>That an external evaluation of all programs under the service transformation initiative, beginning with kith and kin agreements, be undertaken both during the implementation phase and then later, on an ongoing basis.</i>	Limited or no progress	Limited or no progress

Recommendation 44	2007	2008
<i>That program evaluation become a routine part of the Ministry's management role to be carried out in consultation with the regions and with Aboriginal authorities, once established.</i>	Limited or No Progress	Planning Underway

Both Recommendation 43 and 44 were assessed last year as "Limited or No Progress." Recommendation 43 remains unaddressed, while Recommendation 44 is assessed this year as "Planning Underway."

It is positive news that an evaluation and research program at MCFD is in the early planning stages. Responsibility for this function is located within the Decision Support Branch that is now part of the Integrated Quality Assurance Team. A draft research framework is in progress. A comprehensive scan of all research and evaluation activities within and supported by MCFD is underway. There are also research arrangements through formal agreements with universities to undertake specific projects.

The Representative's Office has received two of these evaluations. One of the evaluations is for the Child Care Resource and Referral Program and the second one is for Community Capacity Building for Early Childhood Development, phase one. This second evaluation is ongoing with another phase, to be completed by the Summer 2009. Neither of these evaluations are regarding Service Transformation as called for by Hughes. An analysis by the Representative's Office found the second evaluation on Early Childhood Development has not adopted a rigorous evaluation methodology.

There appears to be no provincially managed evaluation program and, as yet, no central budget to pay for independent, external evaluations of the highest quality. Rather, the planned Provincial Office role seems to be to support evaluation through partnership and assistance to program areas and regions.



This seems very far removed from the important role that Mr. Hughes envisioned for the evaluation function. It is particularly discouraging that the evaluations of "kith-and-kin" and the other elements called for by the Hughes Review have not yet begun. These projects should have been completed by now.

The area of quality assurance and accountability, including program evaluation and public reporting, is one that the Representative will continue to monitor.

Complaints Resolution Processes

The Hughes Review described an effective complaints resolution process as valuable in itself and as a key component of quality assurance. Hughes observed that in the life of a child, the timely and effective resolution of complaints has practical implications, like obtaining consent in time to go on a school field trip, or earlier certainty about a foster home placement. Further, when properly integrated into the quality assurance function, complaints resolution information can help MCFD in planning needed service improvements.

Last year the Representative and the Ombudsman announced a joint review of MCFD and delegated agencies' complaints processes, including those in place at Community Living BC. The Representative and the Ombudsman will report in 2009 on whether these processes are timely, accessible and straightforward. That review was initiated in light of the limited progress described in the 2007 Progress Report.

Recommendation 29	2007	2008
<i>That the Ministry finalize, with a new sense of urgency, its complaint resolution process, ensuring that the process is timely, accessible, and simple; that it takes a problem-solving, rather than confrontational approach; and that it is respectful and responsive to the complainant; and that it involves the parties in resolving the issue.</i>	Limited or No Progress	Implementation Underway

Recommendation 30	2007	2008
<i>That the Ministry develop processes for resolving complaints by Aboriginal children, youth and families that incorporate and respect traditional cultural values and approaches to conflict resolution.</i>	Limited or No Progress	Planning Underway



Beginning in 2003, the regions had complete responsibility for managing a regional complaint process. Each region and delegated Aboriginal Agency operated a complaints process independent of one another and with no provincial oversight. However, each was expected to adhere to the principles of administrative fairness and to use a facilitative and problem-solving approach to complaints about service or the possible breach of statutory obligations. This regionalized approach continues today.

During the last year, the Provincial Office worked with the regions to review the current complaints processes and to develop recommendations for the acceptance of a provincial policy to improve the process overall. Seven recommendations were made to and accepted by MCFD's Leadership Team.

The proposed policy includes principles and standards which support consistent application of the policy across all Regions, while allowing for regional flexibility of process to achieve those standards. The policy was developed with due regard to the Good Practice Action Plan, and considered through the Transformation Policy Lens. It is also consistent with CLBC's policy and supports Ministry Quality Assurance efforts.

*Executive Summary Complaint Resolution
Process Recommendations
December 11, 2007*

A new provincial Complaints Policy was released in February 2008, and regional complaints policies were to be revised accordingly and implemented in June 2008. Three regions have developed and implemented a new complaints policy, one has developed a draft policy and one region's policy has not changed as it is believed to meet the standards identified in the February 2008 provincial policy.

Other new elements include the development of a provincial complaint tracking system, production of a complaints intranet site and publication of educational materials of the complaint process for children and families, and regular reporting out on issues and resolutions. A provincial reporting schedule has been developed in which regions are required to report quarterly and annually.



With respect to Recommendation 30, the Delegated Agencies administer their complaints processes under the Aboriginal Operational and Practice Standards and Indicators (AOPSI). The Operational Standards are themselves currently under revision by a working group consisting of representatives from the Delegated Aboriginal Agencies, the Caring for First Nations Children Society, Indian and Northern Affairs Canada, and MCFD. As a result of the revision process, a change will occur to operational standard 16: Complaint Process and Conflict Resolution. In addition to outlining the requirements of a complaints process, the standard will now also include tracking and reporting out on complaints related to the provision of services under the *Child, Family and Community Service Act*. The anticipated sign-off for revisions was Fall 2008.

A commitment has been made to strengthen the complaint resolution process for Aboriginal children and families. Apart from the work done with Delegated Agencies, no separate effort has been made to improve supports for Aboriginal children and families who may have a complaint and who are using MCFD services and not those of Delegated Agencies.

Although the new provincial policy states that regional complaints resolution processes should be guided by the principle of cultural responsiveness ("The Ministry is responsive to the traditions, cultures, values and beliefs of the many different cultural groups that make up our province"), there is no standard specifying how regions should be more responsive, nor any requirement to determine whether processes incorporate and respect traditional Aboriginal cultural values and approaches, as Mr. Hughes recommended.



Appendix A

Documents and Sources

Legislation

British Columbia. *Child, Family and Community Service Act*. R.S.B.C. 1996, Ch. 46.

British Columbia. *Community Services Interim Authorities Act*. S.B.C. 2002, Ch. 58.

British Columbia. *Freedom of Information and Protection of Privacy Act*. R.S.B.C. 1996, Ch. 165.

British Columbia. *Labour and Citizens' Services Statutes Amendment Act*, 2007, Bill 25, First Reading, April 19, 2007 (38th Parl., 3rd Sess.).

British Columbia. *Representative for Children and Youth Act*. S.B.C. 2006, Ch. 29.

MCFD Documents

Ministry of Children and Family Development. *A Guide to the Privacy Charter*. November 30, 1999.

Ministry of Children and Family Development. *Transformation Update*. February 21, 2007.

Terms of Reference for Implementation of Smoke Free Environments for Children in Care. March 2007 (example of policy implementation).

Ministry of Children and Family Development and Vancouver Island Aboriginal Transition Authority. Government's Letter of Expectations between the Minister of Children and Family Development (as Representative of the Government of British Columbia) and the Chair of the Vancouver Island Aboriginal Transition Authority (VIATA) (as Representative of the Agency). June 8, 2007.

MCFD Good Practice Action Plan Final Draft. July 3, 2007.

Ministry of Children and Family Development. *Child Fatality Case Review Summary Report - 2007*. http://www.mcf.gov.bc.ca/about_us/accountability.htm.

Ministry of Children and Family Development. *Request for Proposals Case Management Software*. November 6, 2007.

Complaints Resolution Process Recommendations Report. December, 2007.



REPRESENTATIVE FOR
CHILDREN AND YOUTH

Ministry of Children and Family Development Binder prepared for the Representative's Office on Aboriginal Services December 2007 regarding the Hughes Review Recommendations.

Ministry of Children and Family Development. *Annual Service Plan Report for 2007/08* (and earlier).

Literature Review – Kinship Care, Discussion Paper Undated.

Jurisdictional Scan – Kinship Care, Undated.

Children Involved with the Ministry – Results, Outcome Results
(http://www.mcf.gov.bc.ca/about_us/results.htm).

Ministry of Children and Family Development. *2008/09 – 2010/11 Annual Service Plan*, June 2008.

Ministry of Children and Family Development Memo from Mark Sieben regarding the *Recommendations to improve the Complaints Process*, February 7, 2008.

Ministry of Children and Family Development. Regional Executive Directors' Budget Letters, March 2008.

Ministry of Children and Family Development, *Strong, Safe and Supported*, April 2008.

CLBC Practice Audit Guide: *Community Living BC Children's Services Planning for Quality Care Critical Measures Audit Tool for Children in Care Service Standards (CMAT – CIC)*, May 2008.

Ministry of Children and Family Development Operational Plan: *Strong, Safe and Supported: BC's Commitment to Children, Youth and Families*, Updated June 30, 2008.

Ministry of Children and Family Development. *MCFD Good Practice Action Plan*. Final Draft, Updated July, 2008.

RFP for the evaluation of the MCFD Case Practice Audit Program of August 26, 2008.

MCFD *The Integrated Case Management (ICM) Project Strategic Implementation Plan (SIP) Workshop Orientation for Participants*, September 2008.

Ministry of Children and Family Development. Integrated Quality Assurance Team Chart, September 2008.

MCFD RED Council and Regional Council Support Team Chart, October 2008.

Ministry of Children and Family Development Binder on Hughes Recommendations, prepared February 2008 for the Representative's Office regarding Progress Report November 2007.



REPRESENTATIVE FOR CHILDREN AND YOUTH

Ministry of Children and Family Development Binder on Integrated Quality Assurance Plans, prepared for the Representative's Office. September 2008.

Ministry of Children and Family Development Binder prepared for the Representative's Office on Hughes Recommendations 18 – 22; 23 – 30; 44 and 57. October 2008.

Ministry of Children and Family Development and Fraser Region Interim Aboriginal Authority. Government's Letter of Expectations between the Minister of Children and Family Development (as Representative of the Government of British Columbia) and the Chair of the Fraser Region Interim Aboriginal Authority (FRIAA) (as Representative of the Agency). September 16, 2007.

Ministry of Children and Family Development *What's Working for Children, Youth and Families in B.C.* June 2, 2008

MCFD *Summary of Evaluation Projects* Integrated Quality Assurance Team, Research, Analysis and Evaluation Branch. September 2008

Early Childhood Community Capacity Evaluation. Summary of 2008 BC Outcomes. Stakeholders Responses. September 2008. Prepared by Vera Radyo.

Child Care Resource and Referral Program Evaluation. November 2008. Prepared for MCFD by Agency Research Consultants.

Other Sources

Fraser Region Aboriginal Interim Authority Annual Report. June 2008.

Hughes, E. N. *BC Children and Youth Review: An Independent Review of BC's Child Protection System.* April 7, 2006.



Appendix B

Office of the Auditor General of British Columbia:
Building Better Reports: Our Assessment of the 2004/05
Annual Service Plan Reports of Government
March, 2006

2004/05 Annual Service Plan Report of the Ministry of Children and Family Development

Abridged

Principle 1: Public Purpose Served

The report explains the ministry's public purpose and its mission. Core business areas, programs and services are described, and the report clearly identifies the ministry's clients and stakeholders. The report has begun to describe how the ministry's values guide its operations.

To improve in this area of reporting, the ministry should ... explain how it delivers programs and services through others and explain how it ensures others deliver what it wants. The ministry should also describe key accountability and reporting relationships and clearly explain how the delivery of its programs and services are guided by public sector values.

Principle 2: Link Goals and Results

The report is beginning to make linkages between goals and objectives, and they are consistent with the ministry's mission and public purpose. The report provides performance measures for each of its objectives and explains why performance measures are relevant. Variance between planned and actual results are identified and explained for most measures.

To improve in this area of reporting, the ministry should ... fully explain the linkages between its mission, goals, objectives, strategies and performance measures. Performance measures should focus on the full range of issues that concern the public and the legislators. The ministry should also fully explain the variances between planned and actual results.



Principle 3: Few Critical Aspects

The report has begun to focus on the goals and objectives that are critical to the ministry's stakeholders and to achieving its public purpose. The report is beginning to contain a wide array of performance information. Results are clear and readily apparent. The report links the ministry's performance to the government's strategic plan.

To improve in this area of reporting the ministry should ... clearly state why goals, objectives and measures are important, and what achieving them means to the public and legislators. The ministry should also explain what is critical in achieving its goals and objectives and the few critical aspects of performance.

Principle 4: Risk and Capacity

The report identifies some risks in the ministry's internal and external operating environments. Existing resources are described.

To improve in this area of reporting, the ministry should ... summarize the key risks it faces and the strategies for prioritizing and dealing with them. The ministry should explain how risk management strategies affected results. Key areas of capacity, including the capacity of partners, and the impact of capacity on the results achieved, should also be described.

Principle 5: Link Resources, Strategies and Results

Planned and actual costs are provided by core business area and key financial variances are explained.

To improve in this area of reporting the ministry should ... provide key financial trend information and explain how current funding compares to past and forecast funding. The ministry should also link financial and non-financial information and identify critical measures of efficiency.

Principle 6: Comparative Information

Actual performance is clearly reported in relation to the service plan. The report contains relevant economic, social and demographic information to put results into context. The report contains at least one year of comparative information for most measures.

To improve in this area of reporting the ministry should ... where available and relevant, include benchmark information. The report should also contain sufficient information to judge the organization's current performance relative to past performance.



Principle 8: Disclose the Basis for Key Reporting Judgments

The report identifies sources of information and describes why the ministry chose its goals, objectives, and performance measures. The report is beginning to explain how performance measures are derived and how performance targets were selected. Management has publicly affirmed its responsibility for the contents of the report and is beginning to provide interpretations of the results.

To improve in this area of reporting, the ministry should ... provide interpretations of its results. Management should describe why it is confident that the data is relevant and reliable. The report should also provide a concise explanation of how performance measures are derived and fully explain how performance targets were selected.



REPRESENTATIVE FOR
CHILDREN AND YOUTH